

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed January 21, 2004. The Examiner is thanked for his thorough examination. Herein, claims 1, 17, 27, 30, 33, 39 and 41 have been amended. Claim 38 has been placed into independent form to include the limitations of claim 37 and claim 37 has been cancelled.

In the Office Action, claims 27-32 were rejected under 35 U.S.C. §112, first and second paragraphs. The rejection was caused by a typographical error in which the first part of the bundle encryption key (BEK) should have been represented as BEK_{P1} , and not BEK_{P2} . Claim 27 has been revised to correct the typographical error. Withdrawal of these rejections is respectfully requested.

Claims 1-9, 17, 21-34, 37-39 and 41 were rejected under 35 U.S.C. §102(a) as being anticipated by Yamazaki (JP11298470A). Moreover, claims 10-16, and 35-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki and claims 18-20 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of Schneier (Applied Cryptography). Applicants respectfully traverse the rejections.

In general, Yamazaki teaches a key manager that divides a private key (S) into two or more confidential information sets ($S1-S_n$, where $n \geq 2$). One of these confidential information sets (S_i) is distributed off-line while the remaining confidential information sets are distributed on-line. This information may be recovered to recreate the private key (S).

With respect to the rejection under 35 U.S.C. §102(a), as the Examiner is aware, in order to anticipate a claim under §102(a), Yamazaki must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully traverse this rejection. Applicants respectfully submit that the term "bundle" has been more narrowly defined in the pending independent claims 1, 17 and 33. The contents of these bundles as claimed are not equivalent to a confidential information set (S_i) of a private key (S) as described in Yamazaki. Moreover, independent claim 38 includes the limitation of the first and second destinations being physically separate from the source.

Applicants respectfully request the Examiner to reconsider the pending claims and withdraw the outstanding §102(a) rejection.

With respect to claims 10-16, 18-20, 35-36 and 40, Applicants respectfully traverse the rejection. Yamazaki does not describe or even suggest the transmission of the bundles as claimed. For instance, with respect to claim 12 for example, Yamazaki does not suggest the third bundle being a plurality of *second part bundle encryption key (BEK_{P2}) bundles* where each of the BEK_{P2} bundles includes *a second part of the bundle encryption key and a combined integrity check value associated with a first encryption key and a second encryption key*. Emphasis added. Applicants respectfully request the Examiner to reconsider the rejection and to contact the undersigned attorney to discuss the allowability of the claims if there are any further

questions or differences of opinion with respect to the applicability of the Yamazaki reference.
The undersigned attorney may be contacted at the phone number listed below.

Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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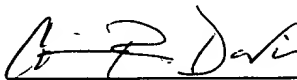
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Corrin R. Davis

April 21, 2004

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